

REMARKS

In the August 20, 2004 Office Action, the Examiner:

- Objected to claim 1 due to an informality; and
- Rejected claims 1-9 under 35 U.S.C. 102(b) as being anticipated by Yokoyama *et al.* ("Yokoyama", U.S. Pat. No. 5,695,029).

Claim Objection

Applicant thanks the Examiner for noticing the typographical error in claim 1. Accordingly, claim 1 has been rewritten to correct the typographical error from "said shift lever device" to "said shift lock device."

Claim Rejections - 35 U.S.C. § 102

The Examiner has rejected claims 1-9 under 35 U.S.C. 102(b) as being anticipated by *Yokahama*. The rejected claims contain one independent claim, namely claim 1. Claim 1 has been amended to further clarify the invention over the cited art. Furthermore, new claims 10-13 have been added. Support for the amendment and new claims can be found in paragraph 0017 and in the drawings. No new matter has been added.

Amended claim 1 now includes the limitation that the gate structure includes a manual gate at a side of the D range for allowing the shift lever to be moved to manually increase and decrease a speed of the vehicle. This manual gate allows the vehicle to be driven in a manual-mode, where a driver can manually increase the speed of the vehicle by moving the shift lever forward into a higher range or gear, or manually decrease the speed of the vehicle by moving the shift lever backward into a lower range or gear. Alternatively, the vehicle can be driven in an automatic-mode, where the shift lever is moved into the D range and the automatic transmission changes gears automatically based on driving conditions. Moreover, the location of the gate to the side of the D range requires that the driver first move the shift lever laterally into the manual mode setting, before being able to manually change the range up or down to increase or decrease the speed of the vehicle. Accordingly, the location of the gate avoids the driver changing ranges accidentally.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is now in a condition for allowance. However, should the Examiner believe that the claims are not in condition for allowance, the Applicant encourages the Examiner to call the undersigned attorney at 650-843-7519 to set up an interview.

If there are any fees or credits due in connection with the filing of this Amendment, including any fees required for an Extension of Time under 37 C.F.R. Section 1.136, authorization is given to charge any necessary fees to our Deposit Account No. 50-0310 (order No. 060945-0089-US). A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

Date: November 22, 2004


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